

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1529 of 1986

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed : NO  
to see the judgements?

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy : NO  
of the judgement?

4. Whether this case involves a substantial question : NO  
of law as to the interpretation of the Constitution  
of India, 1950 of any Order made thereunder?

5. Whether it is to be circulated to the Civil Judge? : NO

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DILIPKUMAR V KHANDERIA

Versus

STATE OF GUJARAT

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Appearance:

MR DM THAKKAR for Petitioner

MR SP HASURKAR with MR PREMAL R JOSHI for Respondent

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CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 05/09/2000

ORAL JUDGEMENT

Heard the learned counsel for the parties.

2. Learned counsel for the petitioner submits that the petitioner has retired from the services during the pendency of this special civil application. It has next been stated that out of three grievances which have been made by the petitioner in this special civil application, two have already been accepted by the respondent. Only grievance remains re. claim of the petitioner for selection grade. Learned counsel for the petitioner states that in reply to the special civil application at

page No.50 thereof (internal page No.4), the respondents have stated " the question of granting selection grade post to the petitioner is under consideration by the Government and the same shall be decided in accordance with the rules and regulations in force for the same". Learned counsel for the petitioner submitted that till date, the case of the petitioner for grant of selection grade post has not been considered and decided.

3. Learned counsel for the respondent is unable to say affirmatively anything in this respect. However, he admits that in case the case of the petitioner for grant of selection grade post is not considered it will be considered within time bound programme as what it is directed by the Court and if ultimately, he, the petitioner is found eligible for grant of selection grade, appropriate relief shall be granted to him.

4. In view of this statement of the counsel for the respondent, this special civil application is disposed of in terms that the case of the petitioner for grant of selection grade to him be considered, if it is already not considered so far, with reference to the date on which his juniors have been given the benefit of the same. On consideration of his case, if the petitioner is found eligible and entitled for selection grade then all the consequential benefits be given to him. This exercise has to be completed within a period of two months from the date of receipt of writ of this order. The special civil application and Rule stand disposed of accordingly with no order as to costs.

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